IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application:

H. INAGAWA et al

USSN 10/104,012

Filed: March 25, 2002

Group Art Unit:

2812

Examiner:

A. Roman

For:

SEMICONDUCTOR DEVICE AND METHOD OF

FABRICATING THE SAME

UNDER 37 C.F.R. 1.53(b)

Commissioner of Patents MS: Patent Application Alexandria, VA 22314

Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b) of pending prior application Serial No. 10/104,012, filed March 25, 2002, entitled SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME, by all of the inventors named in the prior application.

- Enclosed is a copy of the prior application, including the Declaration as originally filed.
 - 2. The Filing Fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION

LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW

PLUS ANY CLAIMS ADDED BY ACCOMPANYING PRELIMINARY AMENDMENT

Basic Fee									\$ 770.00
Total Claims	1	-	20	=	0	x	18	=	\$ 0.00
Independent Claims	1	-	3	=	0	\mathbf{x}	80	=	\$ 0.00
Total Filing Fee									\$ 770.00

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- 3. A check including the amount of \$770.00 is enclosed to cover the Filing Fee.
- 4. Cancel claims 2-7 before calculating the Filing Fee.

 A Preliminary Amendment is being filed herewith.
- 5. The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment, to Deposit Account No. 50-1417.
- 6. Amend the specification by inserting, before the first line:

This is a continuation application of U.S. Serial No. 10/104,012, filed March 25, 2002, which is a divisional application of U.S. Serial No. 09/604,917, filed June 28, 2000, now abandoned.

- 7. New drawings are enclosed, twelve (12) sheets, Figs. 1-26.
- 8. The power of attorney is set forth in the Declaration in the prior application or an associate power of attorney is hereby granted to:

John R. Mattingly, Registration No. 30,293 Jeffrey M. Ketchum, Registration No. 31,174 Shrinath Malur, Registration No. 34,663 Daniel J. Stanger, Registration No. 32,846 Gene W. Stockman, Registration No. 21,021.

There is a change in the correspondence address.

Address all future correspondence to:

MATTINGLY, STANGER & MALUR 1800 Diagonal Road, Suite 370 Alexandria, Virginia 22314 (703) 684-1120.

Please associate this application with Customer No. 24956.

9. The prior application is assigned to Hitachi, Ltd.

The undersigned hereby declares that no matter contained in the specification, including the claims, and drawings filed in the present continuation application would have been new matter in the prior application Serial No. 10/104,012, as originally filed on March 25, 2002.

John R. Mattingl

Registration No. 30,293 Attorney for Applicant(s)

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Date: January 5, 2004